



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF)
COMCAST CABLEVISION OF GARDEN)
STATE, L.P. FOR A RENEWAL CERTIFICATE)
OF APPROVAL TO CONTINUE TO)
CONSTRUCT, OPERATE AND MAINTAIN A)
CABLE TELEVISION SYSTEM IN AND FOR)
THE TOWNSHIP OF SHAMONG, COUNTY OF)
BURLINGTON, STATE OF NEW JERSEY)

RENEWAL
CERTIFICATE OF APPROVAL

DOCKET NO. CE02080512

Stryker, Tams & Dill, Newark, New Jersey, by Dennis Linken, Esq. for the Petitioner.

Township Clerk, Township of Shamong, New Jersey, by Lynn E. Heinold, for the Township.

BY THE BOARD:

On February 10, 1987, the Board granted NYT Cable TV ("NYT") a Certificate of Approval in Docket No. CE8609942 for the construction, operation and maintenance of a cable television system in the Township of Shamong ("Township"). On July 26, 1989, in Docket No. CM89030342, the Board approved the transfer of the Certificate of Approval from NYT to Garden State Cablevision, L.P. ("Garden State"). On January 5, 2000, in Docket No. CM99110855, the Board authorized the merger of Lenfest Communications, Inc., which owned a 50% interest in Garden State, with and into a wholly owned indirect subsidiary of Comcast Corporation, which owned the remaining 50% interest. As a result of said merger, Garden State was subsequently renamed Comcast Cablevision of Garden State, L.P. ("Petitioner"). Although the Petitioner's above referenced Certificate expired on February 10, 2002, it is authorized to continue to provide cable television service to the Township pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Certificate of Approval.

The Petitioner filed an application for the renewal of its municipal consent with the Township on April 5, 2001, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13. On

June 5, 2002, after public hearing, the Township adopted an ordinance granting renewal municipal consent to the Petitioner. On July 22, 2002, the Petitioner accepted the terms and conditions of the ordinance, in accordance with N.J.S.A. 48:5A-24. On August 1, 2002, pursuant to N.J.S.A. 48:5A-16, Petitioner filed with the Board for a renewal of its Certificate of Approval for the Township.

The Board has reviewed the application for municipal consent, the petition for a Renewal Certificate of Approval and the municipal consent ordinance. Based upon this review and the recommendation of the Office of Cable Television, the Board **HEREBY FINDS** the following:

1. The Petitioner possesses the requisite legal, character, financial and technical qualifications for the awarding of a Certificate of Approval. Further, these qualifications were reviewed by the Township in conjunction with the municipal consent process.
2. The design and technical specifications of the system shall ensure that the Petitioner provides safe, adequate and proper service.
3. The Petitioner has represented that all previously required construction within the franchise territory is complete.
4. The franchise period as stated in the ordinance is fifteen years with an automatic renewal provision for a term of ten years thereafter pursuant to N.J.S.A. 48:5A-19 and - 25. The Board finds these periods to be of reasonable duration.
5. The Township has reserved the right to review the performance of the Petitioner with regard to the ordinance and seek redress administratively through the Board. If the Township determines that the Petitioner has failed to substantially comply with the material terms and conditions of the ordinance, the Township shall provide written notice to the Petitioner of such alleged instances of non-compliance and shall grant the Petitioner 90 days to cure such deficiency. If the Petitioner does not cure the deficiency, the Township may petition the Board for appropriate administrative action, including revocation of the franchise or reduction of the franchise term.
6. Within twelve months of receipt of this Certificate of Approval, the Petitioner shall provide service to the areas of the Township as specified in the ordinance at Section 16. The Petitioner shall provide service to the areas stipulated in the application and the ordinance as primary service area at standard and non-standard installation rates, as indicated. For all other areas, the Petitioner shall utilize the line extension policy ("LEP") attached to the Certificate (Appendix "I"). The minimum homes per mile ("HPM") figure is 25.
7. The Petitioner's rates shall be regulated and tariffs shall be filed for all services, in accordance with the rules and regulations of the Federal Communications Commission, the Board and the Office of Cable Television. The Petitioner shall maintain informational tariffs for unregulated service rates, and promptly file any revisions thereto.

8. Pursuant to statutory requirements, the ordinance specifies a complaint officer to receive and act upon complaints filed by subscribers in the Township. In this case, it is the Office of Cable Television. All complaints shall be received and processed in accordance with the applicable rules.
9. The Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating and resolving complaints. The Petitioner currently maintains local offices located at: 1250 Haddonfield-Berlin Road, Cherry Hill, New Jersey; 558 Lakehurst Road, Browns Mills, New Jersey; and 144 S. Broadway, Pitman, New Jersey.
10. The franchise fee to be paid to the Township is specified to be 2% of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the Township. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.
11. The Petitioner shall provide public, educational, and governmental ("PEG") access services, equipment and facilities as described in the application and the ordinance. The Petitioner maintains a fully equipped studio. The Petitioner provides an SVHS camcorder and microphone for non-commercial access users.
12. The Petitioner shall continue to provide a dedicated educational access channel. The current channel is maintained by the Lenape Regional High School District. The Petitioner shall continue to provide a system-wide leased or commercial access channel for the purpose of cablecasting commercial access programming in conformance with the Petitioner's guidelines.
13. The Petitioner shall provide standard installation and preferred cable television service, free of charge, to one outlet to each qualified existing and future municipal building which includes: police, fire, first aid, emergency management, public works, public library and community centers in the Township, provided the facility is within 200 feet of active cable distribution plant. Installation of additional outlets shall be paid for on a materials plus labor basis by the municipality. Monthly service charges shall be waived on all additional outlets.
14. The Petitioner shall continue to provide standard installation and preferred cable television service, free of charge, to one outlet to each qualified existing and future public and private school in the Township, provided the facility is within 200 feet of active cable distribution plant. The school may distribute the signal to all classrooms within the school on the school's internal network as long as that network meets or exceeds FCC signal leakage standards. Should a school request additional outlets to be installed, such installation shall be paid for on a materials plus labor basis by the school requesting service. Monthly service charges shall be waived on all additional outlets.

15. The Petitioner shall provide free basic Internet service via high-speed cable modem on one non-networked personal computer in each qualified existing and future public and private school in the Township, at no charge, provided the facility is within 200 feet of active cable distribution plant. The Internet service shall be installed on a personal computer that is accessible to the students and shall not be used for administrative purposes only.
16. The Petitioner shall provide free basic Internet service via high-speed cable modem on one non-networked personal computer in each qualified existing and future public library in the Township, at no charge, provided the facility is within 200 feet of active cable distribution plant. The Internet service shall be installed on a personal computer that is accessible to the library patrons and shall not be used for administrative purposes only.
17. At such time as the Petitioner begins offering discounted rates to senior citizens and/or disabled persons served by any of their cable systems in New Jersey that do not currently offer such a discount, the Petitioner shall offer the same or an equivalent discount to eligible customers in the Township. The discount shall be applied in accordance with all applicable state statute and regulations.

Based upon these findings, the Board **HEREBY CONCLUDES** that, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), the Petitioner has the municipal consent necessary to support the petition, that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 et seq., that the Petitioner has complied or is ready to comply with all applicable rules and regulations imposed by or pursuant to State and federal law as preconditions for engaging in the proposed cable television operations, that the Petitioner has sufficient financial and technical capacity, meets the legal, character and other qualifications necessary to construct, maintain and operate the necessary installations, lines and equipment, and is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is **HEREBY ISSUED** this Renewal Certificate of Approval as evidence of Petitioner's authority to construct and operate a cable television system within the entirety of the Township.

This Certificate is subject to all applicable State and federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein. The Petitioner shall adhere to the operating standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. §76.1 et seq. including but not limited to, the technical standards 47 C.F.R. §76.601 through §76.630. Any modifications to the provisions thereof shall be incorporated into this Certificate.

Failure to comply with all applicable laws, rules, regulations and orders of the Board or the Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to

and enforceable unless specific waiver is granted by the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

This Certificate shall expire February 10, 2017.

DATED: April 11, 2003

BOARD OF PUBLIC UTILITIES
BY:

(signed)

JEANNE M. FOX
PRESIDENT

(signed)

FREDERICK F. BUTLER
COMMISSIONER

(signed)

CAROL J. MURPHY
COMMISSIONER

(signed)

CONNIE O. HUGHES
COMMISSIONER

(signed)

JACK ALTER
COMMISSIONER

ATTEST:

(signed)

KRISTI IZZO
SECRETARY